

REMARKS

Claim 1-18 are pending in the application. Claims 17-18 are newly added via this Amendment.

35 U.S.C. § 102:

- 1) Claims 1-7 and 11-16 are rejected under 35 U.S.C. 102(b) as being anticipated by Shiba et al. (U.S. Patent No. 5,367,421 [hereafter “Shiba”]) or Wells (U.S. Patent No. 3,458,157).
- 2) Claims 1, 6, 7, 11-12 and 16 are rejected under 35 U.S.C. 102(b) as being anticipated by Shiba (U.S. Patent No. 5,367,421) or Wells (U.S. Patent No. 3,458,157).

To expedite prosecution, Applicant amends claims 1 and 11 to define over the art. In Shiba, it appears that the Examiner is asserting that the front sidewall, including the recesses 8, is a label area (see Figure provided by the Examiner, on page 2 of the Office Action). It also appears that the Examiner is interpreting the alleged standing wall of Shiba as surrounding a label area, even though a wall is provided only on three sides of the area including the recesses 8.

To further define the invention, Applicant amends claims 1 and 11 to recite that the label area is “on a side of the case where a label is to be disposed,” and that the label area is surrounded “on each side” by the standing wall. Amended also amends claims 1 and 11 to recite that “the standing wall extends above the label area.”

The area of Shiba, including the recesses 8, is not an area where a label is to be placed. Instead, the label of Shiba (shown as element 3) is on a side different than the side including the recesses 8. Further, the actual label area of Shiba (shown as 2a) and the area including the recesses 8 do not include a standing wall on each side. Moreover, the lower standing wall of

Shiba, shown by the Examiner on page 2 of the Office action, does not extend above the label area. Instead, this wall extends below the label area. Wells also does not disclose the claimed features for similar reasons.

Accordingly, Shiba and Wells do not disclose the features of amended claims 1 and 11, such that the rejection thereof should be withdrawn. The rejection of dependent claims 1-7 and 11-16 should also be withdrawn at least due to these claims respectively depending from claims 1 and 11.

35 U.S.C. § 103(a):

Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Shiba, as applied to claims 1-7 and 9-16 above, and further in view of Meguro (U.S. Patent No. 6,175,471).

Merguro is applied for disclosing a recording medium comprising a disc medium. Applicant respectfully submits that the disclosure of a disc medium does not supplement the teachings of Shiba to render obvious amended claim 1. Claim 8 is therefore deemed patentable over Shiba and Meguro at least due to claim 8 depending upon claim 1.

NEW CLAIMS:

To obtain more varied protection for the invention, Applicant adds new claims 17-18 to define that the standing wall is provided on one side of the case.

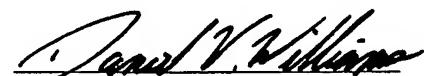
In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

AMENDMENT UNDER 37 C.F.R. § 1.111
Appln. No.: 10/649,783

Attorney Docket No.: Q77061

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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